

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VICTOR W. COOPER,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.

Defendants.

No. C 02-03712 JSW

**ORDER DENYING WITHOUT
PREJUDICE MOTION SEEKING
ENFORCEMENT OF
SETTLEMENT AGREEMENT**

On October 11, 2007, this Court received a motion filed by Oliver Vann and seven other inmates at Pleasant Valley State Prison, in which they seek enforcement of the Settlement Agreement that was entered in this action.

On June 12, 2007, this Court adopted in full a report and recommendation from Magistrate Judge Spero, and pursuant to that recommendation the Court terminated continuing jurisdiction over enforcement of the Settlement Agreement in this matter.

Mr. Vann's motion raises a number of issues relating to the implementation of the Kosher Diet program at Pleasant Valley State Prison. In light of the fact that the Court has terminated continuing jurisdiction over the Settlement Agreement, the Court DENIES WITHOUT PREJUDICE Mr. Vann's motion. If Mr. Vann or the other signatories to the motion seek to challenge the Kosher Diet Program at Pleasant Valley State Prison, they may do so by re-filing the motion as a new case, in compliance with any exhaustion requirements that

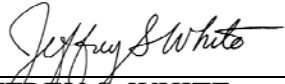
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1 may apply to such claims and shall submit an application to proceed in forma pauperis or pay
2 the requisite filing fees.

3 **IT IS SO ORDERED.**

4
5 Dated: October 15, 2007



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

COOPER,

Case Number: CV02-03712 JSW

Plaintiff,

CERTIFICATE OF SERVICE

v.

STATE OF CALIFORNIA, THE ET AL et
al,


Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 15, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Oliver Vann
CDCR - H-95482
Pleasant Valley State Prison
P.O. Box 8501
A-1-133
Coalinga, CA 93210

Dated: October 15, 2007


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk

United States District Court
For the Northern District of California

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